

PATENT  
144002-2001**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Douglas T. Dieterich  
U.S. Serial No. : 09/862,404  
Filing Date : May 21, 2001  
For : **METHOD OF TREATING ANEMIA CAUSED BY  
RIBAVIRIN TREATMENT OF HEPATITIS C  
USING ERYTHROPOIETIN ALPHA**  
Group Art Unit : 1647  
Examiner : Regina M. DeBerry

745 Fifth Avenue  
New York, NY 10151**FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to  
the Patent and Trademark Office on the date shown below.

Thomas J. Kowalski, Reg. No. 32,147

Type or print name of person signing certification

Signature

December 7, 2004

Date of Signature

**RECEIVED  
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DEC 07 2004****PETITION UNDER 37 C.F.R. §1.313**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions under 37 C.F.R. §1.313 for the above referenced application to be withdrawn from issuance. In accordance with §1.313(c)(2), this petition is being made in order to file a Request for Continued Examination under §1.114. The Commissioner is hereby authorized to charge the petition fee of \$130.00 as set forth in §1.17(h) or any other fee occasioned by this paper or any paper accompanying this paper, or credit any overpayment to Deposit Account No. 50-0320. The Request for Continued Examination is being submitted in

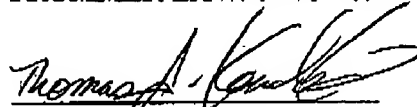
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order to file an additional Information Disclosure Statement and an Amendment, both of which accompany this Petition.

An early and favorable decision on this petition is respectfully requested.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:



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